

## REMARKS

The present application has been reviewed in light of the non-final Office Action dated October 31, 2008. Claims 1-27 are pending in the present application.<sup>1</sup> Claims 1-20, 23, 24 and 27 were elected for continued prosecution by the July 15, 2008 Response to Restriction Requirement. Of claims 1-20, 23, 24 and 27, claims 1 and 20 are in independent form.

By this Amendment, claim 1 has been amended to clarify that the claimed system comprises, *inter alia*, an information delivery unit (i) for searching for the attribute and medical practice information in the medical practice information storage unit in accordance with the searching criteria received by the searching criteria receiving unit, and (ii) for delivering the searched attribute information and medical practice information through the communication line.

In the Office Action, claims 1-20, 23, 24 and 27 were rejected under 35 U.S.C. §102(b) as being purportedly anticipated by U.S. Patent No. 6,283,761 to Joao (hereinafter "Joao").

Applicants have carefully reviewed the Examiner's comments and the cited art, and respectfully submit that independent claims 1 and 20 are patentable over the Joao for at least the following reasons.

Joao, as presently understood by Applicants, describes an apparatus comprising a processor 10 for processing at least one of symptom information and condition information corresponding to a patient, in conjunction with at least one of healthcare information, healthcare theories, healthcare principles, and healthcare research stored on a database 10H to generate a

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<sup>1</sup> The Office Action Summary enclosed with the October 31, 2008 Office Action does not indicate that claim 27 is pending in the application. Claim 27 was added by the March 24, 2008 Amendment Under 37 C.F.R. §1.114 and elected for continued prosecution by the July 15, 2008 Response to Restriction Requirement. Therefore, claim 27 is pending in the application.

diagnostic report (which includes a diagnosis of the patient's condition) and a treatment report (outlining and/or prescribing treatment for the diagnosis included in the diagnostic report).

The database 10H also stores data and/or information regarding healthcare providers (ex. including provider name, provider identification number, type of professionals, contact information, insurances accepted, schedules, etc.).

The Joao apparatus transmits the diagnostic report and/or treatment report to a healthcare provider's communication device from which the healthcare provider can review the diagnostic report and/or treatment report and choose a final diagnosis and/or treatment plan, if needed, to administer to the patient.

Joao further describes in column 26, lines 11-38, that the diagnostic report and/or treatment reports are accompanied by other medical information such as "information regarding providers and/or facilities for obtaining treatment and/or therapy, provider and/or facility contact information, and/or any other pertinent and/or relevant information".

For a rejection on the ground of anticipation, each and every element as set forth in the claim must be expressly or inherently described in the single prior art document.

The description in Joao of diagnostic report and/or treatment reports being accompanied by medical information does not expressly describe or necessarily disclose (i) receiving through a communication line a searching criteria in accordance with which the stored attribute and medical practice information is searched for and (ii) searching for attribute and medical practice information in accordance with the received searching criteria.

Accordingly, Joao simply does not disclose or suggest a medical practice information storage and searching system comprising (i) a medical practice information storage unit for receiving attribute information and medical practice information of a plurality of medical

institutions from the plurality of medical institutions through a communication line, (ii) a searching criteria receiving unit for receiving, through the communication line, searching criteria in accordance with which the attribute and medical practice information stored in the medical practice information storage unit is searched for; and (iii) an information delivery unit for searching for the attribute and medical practice information in the medical practice information storage unit in accordance with the searching criteria received by the searching criteria receiving unit, and for delivering the searched attribute information and medical practice information through the communication line, as provided in amended claim 1.

Independent claim 20 (medical practice information storage and searching method) is patentable over Joao for at least similar reasons.

Accordingly, Applicants submit that independent claims 1 and 20 and the claims depending therefrom are patentable over Joao for the above-stated reasons.

Withdrawal of the rejection of claims 1-27 under 35 U.S.C. §102(b) is respectfully requested.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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